

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

**In re Property Rights of JACK B. KYLE  
and Jack Britton Kyle,**

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**No. 3:08-MC-0125-O-BH**

**ORDER ACCEPTING FINDINGS AND RECOMMENDATION  
OF THE UNITED STATES MAGISTRATE JUDGE**

After reviewing all relevant matters of record in this case, including the Findings, Conclusions, and Recommendation of the United States Magistrate Judge and any objections thereto, in accordance with 28 U.S.C. § 636(b)(1), the undersigned District Judge is of the opinion that the Findings and Conclusions of the Magistrate Judge are correct and they are accepted as the Findings and Conclusions of the Court.

For the reasons stated in the Findings, Conclusions, and Recommendation, the Court **DISMISSES** this action as improperly filed in this Court. The dismissal of this action renders **MOOT** the *Motion by a Nonparty to Dismiss for Failure to State a Claim or, in the alternative, Strike the Pleading* (Doc. # 2).

**So ORDERED this 26th day of October, 2009.**

  
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**Reed O'Connor**  
**UNITED STATES DISTRICT JUDGE**